IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.939 OF 2007

Preeti Shah ..Petitioner

V/s.

The State of Maharashtra & anr. ..Respondents

Mr.Vijay Pradhan i/b. Kiran Jain & Co., advocate, for petitioner
Mr.K.V.Saste, Assistant Public Prosecutor, for the State
Mr.A.H.Ponda i/b. Yusuf & Associate for respondent No.2

CORAM : V.C.DAGA, J.

DATE : 11TH SEPTEMBER, 2007

P.C.

1. Heard learned counsel for both the parties and learned Assistant Public Prosecutor.

2. From the order sheet dated 12.05.2007, it appears that there was no objection for continuation of interim relief which was already granted on 9th May, 2007. It appears that on 12th May, 2007 the applicant had sought some time to file reply. The applicant was expecting that he would get some time to file reply. However, it

appears that no time was granted. Thus, the impugned order is being challenged on the ground of breach of the principles of natural justice.

3. By consent of parties, without going into merits and demerits and without recording any reason in support of this impugned order dated 9th May, 2007 granting bail is set aside and matter is remitted back to the learned Additional Sessions Judge with direction to hear and decide the bail application afresh as expeditiously as possible at any rate within 15 days from the date of receipt of a copy of the order. All the rival contentions are kept open. Both parties undertake to produce a copy of the order. Application is allowed in terms of this order.

(V.C.DAGA, J.)